



EXPRESS MAIL NO. EV 533 735 697 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Yengoyan et al.	Confirmation No.:	5304
Serial No.:	09/728,723	Art Unit	1753
Filed:	November 30, 2000	Examiner:	Mutschler, Brian L.
For:	CAPILLARY ELECTROPHORESIS PROBES AND METHOD	Attorney Docket:	60825-5003

**STATEMENT OF SUBSTANCE OF THE INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant's representatives, David R. Owens, and Richard G. A. Bone, thank Primary Examiner Mutschler for courtesies extended during a telephonic interview of October 8, 2004 and hereby submit a recordation of the substance of the interview.

The following items were discussed:

1) The rejections under 35 U.S.C. § 112 (first paragraph):

Applicants' representatives set forth arguments in connection with the scope of the term vinylogous carboxylic acid. Specifically, Applicants pointed out that the vinylogous carboxylic acids for practicing the invention claimed in the subject patent application are those that have properties making them suitable for use as capillary electrophoresis-probes specifically in the indirect detection of ionic analytes. An example of such properties is the mobility of the probe. In response, Examiner Mutschler stated that he would consider such arguments if articulated in a response.

2) The rejections under 35 U.S.C. § 103(a)

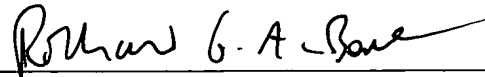
Applicants' representatives also pointed out that, in their view, the Examiner had not made out a *prima facie* case of obviousness with respect to claims that recite various species of vinylogous carboxylic acids. In Applicants' assessment, more specific teachings are required to be found in cited references in order to support a rejection of specific compounds.

The Examiner also indicated that he would consider such arguments if articulated in a response.

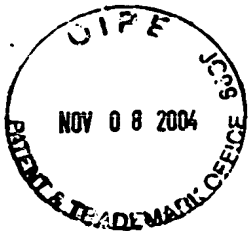
Although Applicants do not believe any fee is due with this submission, please charge any requisite fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310. A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Date: November 8, 2004

  
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Richard G. A. Bone  
Limited Recognition Under 37 C.F.R. § 10.9(b)  
(Copy of Certificate attached hereto)

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FEE TRANSMITTAL SHEET

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$1448.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	189	MINUS	133	56	x 9	\$		x 18	\$ 1008.00
INDEP.	13	MINUS	8	5	x 44	\$		x 88	\$ 440.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						\$		.00	\$ .00
TOTAL						\$	OR	TOTAL	\$ 1448.00

Please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 60825-5003). A copy of this sheet is enclosed.

Date: November 8, 2004

Respectfully submitted,

*Richard G. A. Bone*

Richard G.A. Bone  
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